

HOUSE BILL REPORT

SSB 5528

As Reported by House Committee On: Judiciary

Title: An act relating to making technical nonsubstantive corrections to the initial point of contact program established in chapter 496, Laws of 2007.

Brief Description: Making technical nonsubstantive corrections to the initial point of contact program established in chapter 496, Laws of 2007.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senator Hargrove).

Brief History:

Committee Activity:

Judiciary: 3/23/09, 3/26/09 [DPA].

Brief Summary of Substitute Bill (As Amended by House)

- Makes changes to the initial point of contact program that counties may create to assist parties in dissolution cases.
- Removes the requirement that the program provide screening and referral services.
- Clarifies how the county may fund the program through user fees and a surcharge on filing dissolution cases.
- Removes the requirement that the Administrative Office of the Courts reimburse counties for copies of the family law handbook that the county distributes to parties in dissolution cases.

HOUSE COMMITTEE ON JUDICIARY

Majority Report: Do pass as amended. Signed by 8 members: Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Flannigan, Kelley, Kirby, Ormsby and Roberts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 3 members: Representatives Shea, Assistant Ranking Minority Member; Ross and Warnick.

Staff: Trudes Tango (786-7384)

Background:

In 2007 the Legislature passed Second Substitute Senate Bill 5470 which, among other things, authorized counties to create a program to provide services to all parties involved in dissolution proceedings. Counties may create this program, which has been referred to as the "initial point of contact" program, after July 1, 2009, but no later than November 1, 2009. To fund the program, the county legislative authority may impose user fees or impose a surcharge of up to \$20 on cases filed under the domestic relations laws. If state funding is provided to meet the minimum requirements of the program, counties are required to create the program.

At a minimum, the program must:

- include an individual to serve as an initial point of contact for parties filing dissolution or legal separation petitions;
- inform parties about courthouse facilitation programs;
- inform parties of alternatives to filing for dissolution;
- inform parties of supportive family services available in the community;
- screen for referral to services for domestic violence, child abuse, substance abuse, and mental health; and
- assist the court in dissolution cases.

A petitioner for dissolution must allege that he or she met and conferred with the program before filing the petition. Parties must meet and confer with the program before participating in mediation.

The Administrative Office of the Courts (AOC) creates a family law handbook that explains the rights and obligations of spouses to each other and their children during marriage and after dissolution. The handbook must be provided to petitioners and respondents in dissolution cases. The AOC must reimburse the counties annually for copies of the handbook that are distributed directly to family law parties if the county submits documentation regarding the number of handbooks distributed on an annual basis.

Summary of Amended Bill:

Changes are made to the initial point of contact program that counties may create. The program must be an information and referral program with an individual serving as an initial point of contact for the dissemination of information. The program no longer requires screening for referral to services for areas of domestic violence, child abuse, substance abuse, and mental health. The program is no longer required to provide assistance to the court in dissolution cases.

It is clarified that the county legislative authority may impose a surcharge of up to \$20 on dissolution cases filed, rather than on all domestic relations cases. In addition, the county legislative authority may impose both a user fee and the surcharge.

The requirement that the AOC reimburse counties for copies of the handbook distributed directly to family law parties is removed. The family law handbook must include information on the rights and obligations of domestic partners to each other and their children during their domestic partnership and after dissolution.

Amended Bill Compared to Original Bill:

The amendment requires the family law handbook to include information applicable to domestic partnerships.

Appropriation: None.

Fiscal Note: Requested on March 20, 2009.

Effective Date of Amended Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

None.

Persons Testifying: None.

Persons Signed In To Testify But Not Testifying: None.